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APPLICATION NO.	I	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/766,419		01/19/2001	Theodore A. Heilman JR.	ICM0001	7350	
27510	7590	07/06/2005		EXAMINER		
		OCKTON LLP	HAMILTON, LALITA M			
607 14TH STREET, N.W. WASHINGTON, DC 20005				ART UNIT	PAPER NUMBER	
				3624		
•			·	DATE MAILED: 07/06/2005	DATE MAILED: 07/06/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

PTOL-326 (Rev. 1-04) Office Action Summary Part of Paper No /Mail Date 06272005		Application No.	Applicant(s)					
Laliis M. Hamilton 3524 Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MALINING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MALINING DATE OF THIS COMMUNICATION. Is the period for the gray reposition above is less familiary and the control of the contro		09/766,419	HEILMAN, THEODORE A.					
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1) Responsive to communication(s) filed on 10 January 2001. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-69 is/are pending in the application. 4a) Of the above claim(s) Is/are withdrawn from consideration. 5) Claim(s) Is/are allowed. 6) Claim(s) Is/are allowed. 7) Claim(s) Is/are epiected. 7) Claim(s) Is/are epiected to estimate the state of the profit of the state of the profit of the state of the profit of the state of the priority documents have been received. Application Papers 9) The drawing(s) filed on Is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. Sea 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. Sea 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1 Certified copies of the priority documents have been received. Attachment(s) *See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1 Interview Summary (PTO-413) Paper No(s)/Mail Date Spans No(s)/Mail Date Sp	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply of NO period for reply is specified above, the maximum statutory period of Failure to reply within the set or extended period for reply will, by statute any reply received by the Office later than three months after the mailing	36(a). In no event, however, may a reply be ti y within the statutory minimum of thirty (30) da will apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	mety filed ys will be considered timely. n the mailing date of this communication. ED (35 U.S.C. § 133).					
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Application/Control Number: 09/766,419

Art Unit: 3624

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-29, 36-38, and 42-69, drawn to a method of negotiating a transaction over a network, classified in class 705, subclass 37.
- Claims 30-35 and 39-41, drawn to method of negotiating during a live auction, classified in class 705, subclass 37.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as being used in various types of auctions where live negotiations are not a requirement. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (8:30-4:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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